

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Matthew F. Kennelly	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 4037	DATE	7/18/2008
CASE TITLE	Terence Bruce Richards vs. United States, et al.		

DOCKET ENTRY TEXT

The Court summarily dismisses this action as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e). Plaintiff's *in forma pauperis* petition [#4] is denied because the case is frivolous. The Clerk is directed to enter judgment dismissing this action.

■ [For further details see text below.]

Docketing to mail notices.
*Mail AO 450 form.

STATEMENT

Plaintiff has sued the United States and the Clerk of the Supreme Court. He says that the time for filing a petition for certiorari in the Supreme Court relating to Seventh Circuit Case No. 07-3360 was extended by Justice Stevens to July 13, 2008 and that he sent his "appellant brief" (presumably, his petition for certiorari) on April 21, 2008, but the Clerk of the Supreme Court did not file it. He says that he has a postal return receipt showing delivery of the brief.

These allegations, which the Court takes as true for present purposes, do not form a proper basis for a lawsuit. Plaintiff has a more-than-adequate remedy in the Supreme Court - he can attempt to re-file his certiorari petition, showing (by way of the postal return receipt) that he mailed it in timely fashion.

For these reasons, the Court dismisses this suit as frivolous and for failure to state a claim. The Clerk is directed to enter judgment dismissing this action.

Courtroom Deputy
Initials:

mk